GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

HM&FW Department - Public Services - Dr.V.Lakshmi Rajyam, Tutor (Retd.), Guntur Medical College, Guntur – Unauthorized absence from duty while working as CAS in DPH&FW - Imposed Punishment of Stoppage of Five (05) Annual Grade Increments with cumulative effect besides treating Unauthorized absence with effect from 11.07.89 to 29.07.1994 as 'Dies-Non' & Treated absence period of 30.07.94 to 20.12.99 as 'Dies-non' - O.A.No.7616 of 2002 filed - Allowed – WP No.4467 of 2006 filed by Government - Dismissed - Another W.P.No.10968 of 2022 filed by Dr.V.Lakshmi Rajyam - Orders of APHC, dated:22-04-2022 - Implementation of orders of Hon'ble APAT, Dated:13.11.2004 in OA No.7616 of 2002 - Setting aside the punishment - Orders - Issued.

HEALTH, MEDICAL & FAMILY WELFARE (VC.I) DEPARTMENT

G.O.Rt.No.233 **Dated:24.04.2025**

Read the following:

1. Progs Rc. No.3015/E2.8/94, of Director of Public Health & Family Welfare, A.P., Hyderabad, Dated: 19-12-2000.
2. Govt. Memo. No.14239/VC.II. (I)/2003-2, H.M&F.W (VC.II.(1)) Department, Dated: 10-12-2003.
3. Orders dated: 13-11-2004 of APAT, Hyderabad in O.A.No.7616 of 2002.
4. Orders dated: 24-06-2020 of Hon'ble High Court of Andhra Pradesh in W.P.No.4467 of 2006.
5. Orders dated: 22-04-2022 of Hon'ble High Court of Andhra Pradesh in W.P.No.10868 of 2022.
6. Govt. Memo.No.2170057/VC.I/2023, H.M&F.W(VC.I) Department, Dated: 09-08-2023.
7. From DPH&FW, A.P., Vijayawada, Lr.Rc.No.23871/E6-D/2022, Dated: 19-07-2024.
8. Govt.Memo.No.2170057/VC.I/2023, HM&FW (VC.I) Department, Dated: 28-08-2024.
9. From DPH&FW, A.P., Vijayawada, Letter Rc. No.23871/E6-D/2022, Dated: 10-10-2024.

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ORDER:

In the proceedings 1st read above, the Director of Public Health & Family Welfare, Andhra Pradesh, Hyderabad has imposed punishment of Stoppage of Five (05) Annual Grade Increments with cumulative effect against Dr.V.Lakshmi Rajyam besides treating Unauthorized absence with effect from 11.07.1989 to 29.07.1994 as "Dies-Non for her unauthorized absence.

2. In the Memo 2nd read above, Government have issued orders treating the absence period of Dr.V.Lakshmi Rajyam, formerly CAS, PHC: Singanamala, Ananthapur District from 30.07.1994 to 20.12.1999 as 'Dies-non, keeping in view of the attitude of the doctor and the fact that the doctor has not worked during the period from 29.04.1994 to 20.12.1999.

3. Aggrieved by the above orders, Dr.V.Lakshmi Rajyam has filed O.A.No. 7616 of 2002 in A.P. Administrative Tribunal and in the reference 3rd read above, the Andhra Pradesh Administrative Tribunal, Hyderabad in Orders dated: 13-11-2004 in O.A.No.7616 of 2002 inter-alia ordered as follows:

> "....In view of this "Proceedings Rc. No. 23871/E6-D/94 dated 19.12.2000 passed by the Director of Health and the orders passed by the Principal Secretary in Memo No. 14239/VC.II (1)/2003-2 dated 10.12.2003 are held as bad in law. The punishment of stoppage of (05) Annual Grade Increments as well as treating the absence period as dies-non is also set aside. So far as monetary benefit is concerned, it may not be fair on the part of the applicant to claim any monetary benefit she has not served during that period. Since the punishment is set aside, she is deemed to be in service during the period of absence..."

(PTO)

4. Government has filed W.P.No.4467 of 2006 before Hon'ble High Court of Andhra Pradesh challenging the orders of Hon'ble APAT dated: 13.11.2004 in O.A.No. 7616 of 2002 passed by the AP Administrative Tribunal, Hyderabad. In the reference 4th read above, the Hon'ble High Court of Andhra Pradesh in its Orders dated: 24-06-2020 has dismissed the said W.P and inter-alia observed as follows:

> "..... this writ petition was filed in the year 2006, and the applicant in all probability, must have retired from service by now as her age was 50 years by the time of filing O.A. which was in the year 2002.
>
> Having regard to the facts and circumstances of the case, we feel that the order of the Tribunal does not warrant any interference by this court. Hence, the writ petition is devoid of merit and the same is accordingly dismissed."

5. Dr.V.Lakshmi Rajyam has filed another W.P.No.10868 of 2022 before Hon'ble High Court of Andhra Pradesh for non compliance of the orders passed by the Hon'ble APAT in O.A.No. 7616 of 2002 and as confirmed by the Hon'ble High Court in W.P.No.4467 of 2006, Dated:24.06.2020. The Hon'ble High Court in reference 5th read above while disposing the said WP has directed the Respondents to take action in terms of the order passed by the Tribunal in O.A.No.7616 of 2002, dated:30.11.2004, as confirmed by this Court in W.P.No.4467 of 2006, dated: 24.06.2020 and pass appropriate orders as expeditiously as possible.

6. After careful examination of the matter and keeping in view the orders of Hon'ble High Court, dated: 24-06-2020 in W.P.No.4467 of 2006 & Orders dated: 22-04-2022 of Hon'ble High Court in W.P.No.10868 of 2022, Government have decided to implement the orders of APAT, dt:13-11-2004 in O.A.No.7616 of 2002.

7. Accordingly, Government hereby set aside the orders of punishment of Stoppage of Five (05) Annual Grade increments with cumulative effect besides treating the Unauthorized absence period from 11.07.1989 to 29.07.1994 (B.D.I) as 'Dies-Non' imposed against Dr.V.Lakshmi Rajyam vide reference 1st read above and also set aside the orders of treating the period 30.07.1994 to 20.12.1999 (B.D.I) as 'Dies-non' vide reference 2nd read above.

8. Further, Government hereby declare that Dr.V.Lakshmi Rajyam is deemed to be in service during that period of absence i.e. 11.07.1989 to 20.12.1999 (B.D.I) and period shall be counted as qualifying service for consequential benefits like fixation of pay, increments, pensionary benefits etc, since the punishments are set aside. However, the individual is not entitled any monitory benefit during that period, as she had not served during that period.

9. The Director of Medical Education, Andhra Pradesh, Vijayawada and Director of Public Health & Family Welfare, Andhra Pradesh, Vijayawada shall take further necessary action in the matter, accordingly.

10. This order issues with concurrence of the Finance Department vide their U.O.No. FIN01-HR0CRSR(LR)/84/2024-HR-IV, (Computer No:2600910). Dated:27.03.2025.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. MANJULA D HOSMANI
SECRETARY TO GOVERNMENT

To
Dr.V.Lakshmi Rajyam, Tutor (Retd.), Guntur Medical College, Guntur.
(through the Director of Public Health & Family Welfare, AP, Vijayawada.)
The Director of Public Health & Family Welfare, Andhra Pradesh, Vijayawada.
The Director of Medical Education, AP, Vijayawada.
Copy to:
The Accountant General (A&E), A.P., Vijayawada.
The District Treasury Officer, Guntur.
The OSD to Hon'ble Min (HFW&ME).
The PS to Secretary to Government, HM&FW Department.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER